REMARKS

These remarks are in response to the Office Action dated February 12, 2003. Claims 31 and 36-44 are now pending. Claim 31 is allowed. Claims 1-7, 8-25 amd 30 have been canceled. Claims 26-29 are withdrawn. Claims 36-44 have been added by the present amendment. Support for claims 36 and 37 can be found at page 8, lines 30-31, bridging to page 9, lines 1-3 of the specification. Additional support for claims 36 and 37 can be found at page 30, lines 4-12. Support for claim 38 can be found at page 18, lines 21-30 (Example 1). Support for claim 39 can be found at page 29, lines 5-20 (Example 7). Support for claims 41-44 can be found at page 17, lines 11-22. No new matter has been added. Applicants respectfully request reconsideration of the present application.

I. Rejections under 35 U.S.C. §112, first paragraph

Enablement

Claims 1-7 and 30 stand rejected under 35 USC §112, first paragraph, because the specification allegedly fails to enable the claimed invention. This rejection is moot in view of the cancellation of claims 1-7 and 30. Applicants request that this rejection be withdrawn.

New claim 36 recites polypeptides comprising the amino acid sequence of SEQ ID NO:20 or 25, with up to 3 conservative amino acid substitutions. New claim 37 recites polypeptides comprising an amino acid sequence at least 99% identical to SEQ ID NO:20 or 25. One of ordinary skill in the art would be easily able to make all embodiments of these narrowly drawn claims, and would expect most or all to exhibit activity similar to SEQ ID NO:20 or 25.

Written Description

Claims 1-7 and 30 stand rejected under 35 USC 112, first paragraph, as allegedly containing subject matter which was not described in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the full breadth of the claims. This rejection is moot in view of the cancellation of claims 1-7 and 30. Applicants request that this rejection be withdrawn.

With regard to new claims 36-43, Applicants note that these claims are narrowly drawn to polypeptides comprising SEQ ID NO:20 or 25, or SEQ ID NO:20 or 25 with up to 3 conservative amino acid substitutions; or comprising a sequencing least 99% identical to SEQ ID NO:20 or 25. According to the written description guidelines, the United States Patent and Trademark Office generally considers such claims to meet the written description requirement. Furthermore, new claims 38 and 39 add further limitations regarding the function (G protein-coupled receptor activity; binding histamine) and structure (seven transmembrane regions) of the claimed genus. The inventors have clearly conveyed to those skilled in the art that the inventors were in possession of the claimed polypeptides.

II. Rejection under 35 U.S.C. §102(e)

Claims 1-7 and 30 stand rejected under 35 U.S.C. 102(e) as allegedly anticipated by Goodearl et al. This rejection is moot in view of the cancellation of claims 1-7 and 30. Applicants request that this rejection be withdrawn.

With regard to new claims 36-43, Applicants submit that Goodearl et al. fails to teach a polypeptide that is 99% identical to a polypeptide comprising SEQ ID NO:20 or 25. Applicants further submit that Goodearl fails to teach a polypeptide comprising SEQ ID NO:20 or 25 with up to 3 conservative amino acid substitutions.

Enclosed is a check for the Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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Table 1

	1	2	3	4	5	6	7	8	9	10
A	Albuterol hemisulfate	DSP-4 hydrochloride	Phenoxy-benzamine hydrochloride	(±)-Chlorpheniramine maleate	(-)-Epinephrine bitartrate	Histamine, 1-methyl-, dihydrochloride	Methoxamine hydrochloride	Oxymetazoline hydrochloride	Phenylephrine hydrochloride	Thioperamide maleate
B	Alprenolol hydrochloride	Benextramine tetrahydrochloride	Bretylium tosylate	(±)-CGP-12177A hydrochloride	None	Hydrochloro-thiazide	(±)-Normetanephrine hydrochloride	Prazosin hydrochloride	None	Tripelennamine hydrochloride
C	(±)-Atenolol	MHPG sulfate potassium	BU224 hydrochloride	Clobenpropit dihydrobromide	None	(±)-Isoproterenol hydrochloride	L(-)-Norepinephrine bitartrate	(±)-Pindobind	Protriptyline hydrochloride	S(-)-Timolol maleate
D	Agmatine sulfate	6-Fluoro-norepinephrine hydrochloride	B-HT 933 dihydrochloride	Cirazoline hydrochloride	Guanabenz acetate	p-Iodoclonidine hydrochloride	None	Prazobind	Promethazine hydrochloride	Urapidil hydrochloride
E	AGN 192403 hydrochloride	Xylamine hydrochloride	B-HT 920 dihydrochloride	CGP 20712A methanesulfonate	L-Histidine hydrochloride	ICI 118,551 hydrochloride	Nisoxetine hydrochloride	Pindolol	Ranitidine hydrochloride	UK 14,304
F	Clonidine hydrochloride	Benoxathian hydrochloride	BRL 37344 sodium	Dimaprit dihydrochloride	Histamine dihydrochloride	Imetit dihydrobromide	Nylidrin hydrochloride	(±)-Propranolol hydrochloride	Rauwolscine hydrochloride	Xylazine hydrochloride
G	p-Amino-clonidine hydrochloride	MHPG piperazine	CGS-12066A dimaleate	Diphenhydramine hydrochloride	Histamine, R(-)-alpha-methyl-, dihydrochloride	Metanephrine hydrochloride	Naftopidil dihydrochloride	Pyrilamine maleate	SKF 91488 dihydrochloride	Yohimbine hydrochloride
H	(±)-threo-DOPS	WB-4101 hydrochloride	Cimetidine	Dobutamine hydrochloride	Histamine, N-alpha-methyl-, dihydrochloride	(-)-alpha-Methyl-norepinephrine	(±)-Octopamine hydrochloride	Phentolamine mesylate	Triprolidine hydrochloride	YS-035 hydrochloride